HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR
(DIVISION BENCH)

CORAM : Hon'ble Shri S.R. Nayak, CJ
Hon'ble Shri Satish K. Agnihotri, J.

Misc. Appeal No.656 OF 2005

APPELLANT

Ramawtar Suryawanshi, aged about 16 years (Minor), s/o Bhagwandeen Suryawanshi, through - natural guardian father Shri Bhagwandeen Suryawanshi resident of village Telsara, P.S. Chakarbhatha, Distt. Bilaspur (C.G.)

Versus

RESPONDENTS

1. Smt. Alimunnissa, aged about 40 years, wife of Shri Seikh Azeej, resident of Mungeli Road, Vikas Nagar, Bilaspur, Distt. Bilaspur (C.G.)
2. Narayan Das Satnami, aged about 24 years, son of Shri Mahetar Ram Satnami, resident of Jogipur, P.S. Takhatpur, Distt. Bilaspur (C.G.)
3. The Oriental Insurance Company, through Branch Manager, Divisional Office, Medical College Road, Beema Manjil, Kachahri Chowk, Raipur, Distt. Raipur (C.G.)
4. Tekchand Makija, aged about 50 years, son of Shri Moolchand Makija, resident of Chakarbhatha Camp, Chakarbhatha, Distt. Bilaspur (C.G.)
5. Bachchamal alias Mohanlal aged about 40 years, son of Shri Sawandas sindhi, resident of Ward No. 15, Chakarbhatha Camp, Chakarbhatha, Distt. Bilaspur (C.G.)
6. The Oriental Insurance Co. Limited, through - Branch Manager, Branch Office, In front of High Court of Chhattisgarh, Bilaspur (C.G.)

Present:
Mr.P.P. Sahu, learned counsel for the appellant.

ORAL ORDER
(Passed on 7th of December 2005)

The following Order of the Court was passed by

S.R. Nayak, CJ:

In a personal injury case, the injured - claimant not being satisfied with the compensation awarded by the MACT, has preferred this appeal under Section 173 of the Motor Vehicles Act, 1988. The appellant - claimant alleging that he sustained head injury in the accident, claimed compensation of Rs. 11,40,000/-. In the claim application nor in the evidence, the specific injuries sustained by the appellant are not disclosed. The doctor who treated the appellant was also not examined. There is absolutely no evidence whatsoever to show that the appellant sustained any injury. He also did not produce any medical bills nor wound certificate. In the circumstance and in the absence of legal evidence, the Tribunal taking sympathy on the appellant has awarded a sum of Rs. 5,000/- as a token compensation. Even before this Court, no materials are placed before us to show that the appellant sustained any serious injuries or spent any money towards medical treatment. There is no merit in the appeal. Hence, it is dismissed.

Sd/-
Chief Justice

Sd/-
Satish K. Agnihotri
Judge